

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS - AUSTIN DIVISION

JEREMY STORY and DUSTIN CLARK, §  
*Plaintiffs,* §  
v. § Civil Action No.  
§ 1:22-cv-448  
SUPERINTENDEDNT HAFEDH AZAIEZ, et al. §  
*Defendants.* §

**PLAINTIFFS' AMENDED CERTIFICATE OF SERVICE REGARDING RESPONSE TO  
DEFENDANTS WILLIBY AND YARBROUGH (DOC. 57)**

Plaintiffs file this amended certificate of service to ensure the Court is not misled by Defendants Williby and Yarbrough's misunderstanding of the deadline to respond to their motion to dismiss, discussed in their Reply (Doc. 59) at fn. 1.

Federal Rule of Procedure 6 governs the computation and extending of time in federal litigation. Specifically, Rule 6(a)(1)(C) states explicitly that deadlines measured in days are extended when the last day of a relevant period ends on a legal holiday to the next day that is not a Saturday, Sunday, or federal holiday.

As Defendants Williby and Yarbrough pointed out, the 14-day deadline to file a response to their October 27<sup>th</sup>-filed motion to dismiss (Doc. 51) would normally be November 10<sup>th</sup>. This year, however, the calculation is modified by a federal holiday.

As this presiding judge of this Court, the undersigned, and all other veterans know, November 11th is Veterans Day, timed to celebrate when the armistice with Germany went into effect, at the 11th hour of the 11th day of the 11th month of 1918. Armistice Day was renamed Veterans Day in 1954. This year, Veterans Day was celebrated on the federal government calendar on November 10<sup>th</sup>, which was also a Friday.

**Thus, the deadline to file responses to the motion to dismiss filed on October 27th was Monday, November 13th, when Plaintiffs timely filed their response (Doc. 57).**

The undersigned takes no offense at the error in the Reply, but happy to correct it. All other errors in the Reply will be appropriately addressed at the hearing on the motion to dismiss.

Respectfully submitted,

/s/ Warren V. Norred

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**Certificate of Service:** I hereby certify that on November 24, 2023, the foregoing document was served to counsel of record via CM/ECF.

/s/ Warren V. Norred